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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---------------------------------------------------------------------|---------------|------------------------|---------------------|------------------|
| 10/668,936 | 09/23/2003 | Michele Sanicola-Nadel | 13751-045003 | 3298 |
| 26161 | 7590 | 06/26/2009 | EXAMINER | |
| FISH & RICHARDSON PC P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022 | | | HARRIS, ALANA M | |
| ART UNIT | PAPER NUMBER | | | |
| | 1643 | | | |
| NOTIFICATION DATE | DELIVERY MODE | | | |
| 06/26/2009 | ELECTRONIC | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---------------------------------------------------|---------------------|
| 10668936 | 9/23/03 | SANICOLA-NADEL ET AL. | 13751-045003 |

EXAMINER

FISH & RICHARDSON PC
P.O. BOX 1022
MINNEAPOLIS, MN 55440-1022

Alana M.. Harris, Ph.D.

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| ART UNIT | PAPER |
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1643 20090617

DATE MAILED:

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Commissioner for Patents

Applicants are notified the last Action mailed December 10, 2009 was clearly denoted as a Final Rejection within the body of the Action, see page 4, section 5. While it is true as Applicants have noted the Office Action Summary (PTOL-326) indicated the said Action was a non-final this was in err and the information set forth in the Conclusion section of the Action is the prevailing information of record. Hence, Applicants' Remarks submitted March 10, 2009 were considered and a corresponding Advisory Action has been completed and attached to the instant communication. The Examiner apologizes for the confusion and requests Applicants to directly call the Examiner for clarification in the future.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Alana M. Harris, Ph.D. whose telephone number is (571)272-0831. The Examiner works a flexible schedule, however she can normally be reached between the hours of 7:30 am to 7:30 pm, with alternate Fridays off.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Larry R. Helms, Ph.D. can be reached on (571) 272-0832. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alana M. Harris, Ph.D.
17 June 2009

/Alana M. Harris, Ph.D./
Primary Examiner, Art Unit 1643